

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GOLDEN HOUR DATA SYSTEMS, INC. a
California corporation,

Plaintiff,

v.

EMSCHARTS, INC., a Pennsylvania
corporation, and SOFTTECH, LLC, an
Oregon limited liability company,

Defendants.

AND RELATED COUNTERCLAIMS

CIVIL ACTION NO. 2:06-cv-381-TJW

Judge T. John Ward

NOTICE OF APPEAL BY PLAINTIFF GOLDEN HOUR DATA SYSTEMS, INC.

Notice is hereby given that Plaintiff Golden Hour Data Systems, Inc., hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment (docket number 286) attached as Exhibit A and entered in this action on April 3, 2009, and all orders and judgments incorporated into the final judgment, including without limitation the district court's order finding U.S. Patent No. 6,117,073 unenforceable (docket number 284) and the district court's order granting Defendant emsCharts' motion for judgment as a matter of law as to joint infringement (docket number 285).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 3, 2009

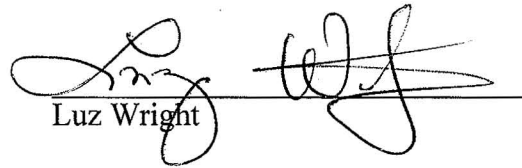
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CERTIFICATE OF SERVICE

The undersigned certifies that on this April 3, 2009, the foregoing document **NOTICE OF APPEAL BY PLAINTIFF GOLDEN HOUR DATA SYSTEMS, INC.** was filed electronically in compliance with Local Rule CV-5(a). As such, the document was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A).


Luz Wright

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